

June 9, 2010

Chip Humphrey
Eric Blischke
U.S. Environmental Protection Agency, Region 10
805 SW Broadway, Suite 500
Portland, OR 97205

**Re: Lower Willamette River, Portland Harbor Superfund Site
USEPA Docket No: CERCLA-10-2001-0240
Monthly Progress Report for May 2010**

Dear Mssrs. Humphrey and Blischke:

This monthly status report provides information required by the Portland Harbor Superfund Site Administrative Settlement and Administrative Order on Consent (ASOC).

1. ACTIONS TAKEN IN MAY 2010

- A QEAfate model calibration check-in with the LWG, EPA, and DEQ was held on May 4, 2010.
- The LWG's response to EPA's April 23 performance standards for confined disposal facilities for Portland Harbor was provided to EPA on May 5, 2010.
- The LWG's response to EPA's April 21 PRG comments was provided to EPA on May 5, 2010.
- An updated schematic Feasibility Study (FS) schedule was provided to EPA on May 12, 2010.
- A list of topics for the LWG and EPA Endangered Species Act (ESA) mitigation framework meeting was provided to EPA on May 19, 2010.
- A correction to the focused PRG table was provided to EPA on May 20, 2010.
- A mitigation framework meeting with the LWG, EPA, and NOAA was held on May 20, 2010.
- The draft list of topics for the alternatives screening check-in planning meeting was provided to EPA on May 26, 2010.
- The LWG's initial responses to EPA's May 18 fate model comments were provided to EPA on May 26, 2010.
- The background for the meeting to discuss ESA compliance was provided to EPA on May 26, 2010.

Deliverables Approved by EPA

None.

Deliverables Submitted to EPA

None.

Comments/Documents Provided by EPA

May 18, 2010: EPA comments on QEAfate modeling presentation.

2. PROBLEMS ENCOUNTERED, ANTICIPATED DELAYS, AND SOLUTIONS

As noted in last month's progress report, ongoing discussions on the PRGs and CDF performance standards have caused delays to the start of the draft FS. Last month we estimated that ongoing discussions have caused delays such that we were projecting at that time the alternatives screening check would take place in late September or early October 2010 and the draft FS would be submitted in April 2011. The PRGs and CDF performance issues were resolved in May 2010, which did not cause any further delays to this estimated schedule. The chemical fate modeling "check-in" occurred in the timeframe anticipated (May 4, 2010). Under the check-in process we described to EPA, the model calibration must be approved by mid-May to keep on the overall FS schedule noted above. However, EPA provided comments on the model May 18, 2010, indicating that an additional meeting was needed and additional submittals were requested. LWG verbally informed EPA that this would cause an additional schedule delay of, at a minimum, one month. Consequently, we currently project that the alternatives screening check in will now take place in the first half of November 2010 and the draft FS will be submitted in May 2011. It is important to note that if the model issues cannot be resolved by mid-June 2010, the schedule will be extended further.

Also, we have previously noted that the habitat mitigation framework needed to be completed in April 2010 to keep on schedule. As described in the last progress report, a meeting with NOAA to finalize the habitat mitigation framework was expected in late May 2010 and actually took place on May 20, 2010. The need for an additional meeting was identified at that time, and another meeting is currently scheduled for June 22, 2010. Given the slippage in the modeling discussions as discussed above, these delays in finalization of the habitat mitigation framework are currently not causing any additional schedule delays. However, if the modeling issues are resolved in June 2010 and the habitat mitigation framework issues are not, the habitat issues could cause further delay to the schedule.

3. RESULTS OF SAMPLING, TESTS, AND OTHER DATA RECEIVED

None.

4. SCHEDULE FOR THE NEXT FOUR MONTHS

Work covered by the ASOC that is potentially planned for June, July, August, and September 2010 includes the following:

- June 7, 2010: Alternatives Screening Check-in Planning Meeting
- June 8, 2010: Modeling Working Session
- June 22, 2010: Mitigation Matrix Meeting
- Late June 2010: Provide Information on Check-in Process and Schedule to EPA

Submittal dates for pending documents currently under preparation by LWG and scheduled for submittal in upcoming months are listed in Table 1 – Status of Active LWG Deliverables – Portland Harbor RI/FS. This table has been reformatted from previously submitted versions to only include pending and recently submitted deliverables for which EPA comments or approvals are required. Table 2 – Status of LWG Deliverables – Portland Harbor RI/FS reflects the more complete list of LWG submittals and is equivalent to the former Table 1 provided in previous progress reports.

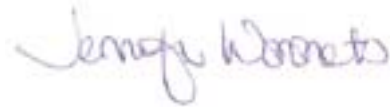
5. DOCUMENTS AND ISSUES AWAITING EPA RESPONSE

EPA comments or approvals have not been received on a number of documents that have been submitted to EPA as required by the ASOC; these submittals are listed in Tables 1 and 2. The LWG requests EPA

provide document approvals for these submittals to verify that the terms of the ASOC are being met and issues are resolved to maintain progress on the RI/FS. Also, the LWG believes that many of the documents listed as future submittals in Table 2 are no longer needed (see Status/Comments column) and requests that EPA review the list and confirm that these documents are indeed not needed.

If you have any questions, please give me a call at (503) 670-1108.

Sincerely,



Jennifer Woronets
LWG Administrative Project Coordinator

Copies: Jim Anderson, ODEQ (email only)
Matt McClincy, ODEQ (email only)
Kristine Koch, EPA (email only)
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Brian Cunninghame, Confederated Tribes of Warm Springs (email only)
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Julie Weis, Confederated Tribes of Siletz (email only)
Audie Huber, Confederated Tribes of Umatilla (email only)
J D Williams, Confederated Tribes of Umatilla (email only)
Michael Karnosh, Grand Ronde (email only)
Lisa Bluelake, Grand Ronde (email only)
Erin Madden, Nez Perce Tribe (email only)
Sheila Fleming, Ridolfi (email only)
Jennifer Peers, Stratus Consulting (email only)
LWG Management
LWG Repository

Table 1. Status of Active LWG Deliverables - Portland Harbor RI/FS

Deliverable¹	Submittal Deadline²	Status/ Comments	EPA Comments Target Date
<i>None</i>			

Notes:

¹ - **Bolded Deliverables** are primary deliverables per Section XIX., Paragraph 4 of AOC (EPA 2001a).

Unbolded Deliverables are secondary deliverables per Section XIX, Paragraph 5 of AOC.

Italicized Deliverables do not have stipulated penalty amounts.

² - Listed Submittal Deadlines are for draft documents. Unless otherwise specified, all final documents are due to EPA 30 days following receipt of comments from EPA.

Deliverable completed and approved by EPA.

Deliverable submitted to EPA and its partners.

Underlining indicates text change from last progress report.

Table 2. Status of LWG Deliverables - Portland Harbor RI/FS

Deliverable¹	Submittal Deadline²	Status/ Comments	EPA Comments Target Date
Round 1			
<i>Compilation of Information for Sources Between RM 11 and 11.6 East Bank of Portland Harbor</i>	November 2007	Submitted to EPA and DEQ 11/21/2007. Need written response from DEQ and EPA that upland sources are under investigation consistent with the Road to the ROD.	
Round 2 Biota			
<i>Revised Round 2 QAPP Addendum 6: Sampling of Benthic Invertebrate Tissue</i>	11/23/2005	Submitted 11/23/2005; approved with conditions on 12/6/2005; a final QAPP addendum is required	12/8/2005
<i>Final Round 2 QAPP Addendum 6: Sampling of Benthic Invertebrate Tissue</i>	TBD	On 2/9/2006, the LWG submitted a response to EPA's comments on the 11/23/2005 version of the QAPP addendum. The LWG has not heard back from EPA on that response. The LWG believes that a final QAPP is not required. Need EPA agreement that this final QAPP is not required.	
Hydro/Sed Modeling			
<i>Phase 2 Hydrodynamic Re-calibration Report</i>	May 2009	Submitted 5/7/2009; EPA comments received 7/22/2009	
Groundwater Pathway			
<i>Draft Round 2 Groundwater Pathway Assessment Sampling and Analysis Plan</i>	4/22/2005	Submitted 4/22/2005; EPA comments received 6/3/2005	
<i>Round 2 Groundwater Pathway Assessment Sampling and Analysis Plan - Response to EPA Comments</i>	TBD	Outstanding issues to be addressed in GW Appendix to Draft RI Report.	

Deliverable¹	Submittal Deadline²	Status/ Comments	EPA Comments Target Date
<i>Revised Round 2 Groundwater Pathway Assessment Sampling and Analysis Plan (including Appendix A - Site Summaries and Appendix B - Pilot Study Data Report)</i>	TBD	Outstanding issues to be addressed in GW Appendix to Draft RI Report.	
<i>Round 2 FSP for Sampling of Shoreline Seeps at Human Use Beaches</i>	4/29/2005	Submitted 4/29/2005; EPA comments received 6/10/2005	
<i>Revised Round 2 FSP for Sampling of Shoreline Seeps at Human Use Beaches</i>	No longer needed	The only seep determined to pose a potentially complete exposure pathway is discharge from Outfall 22B. The existing data from Outfall 22B include the upland COIs and meet the data quality requirements for risk evaluation (Category 1/QA2). Based on the Round 2 Report evaluations, no additional seep data are needed. Therefore, this FSP is no longer needed.	
<i>Revised Round 2 Groundwater Pathway Assessment SAP Attachment 2: Transition Zone Water FSP</i>	3/27/2006	Redline version submitted 3/27/2006; EPA needs to provide final approval of this FSP. This revised FSP was prepared and submitted after the associated field work was completed.	4/28/2006
<i>Revised Round 2 Groundwater Pathway Assessment SAP Attachment 3: Supplement to QAPP Addendum 3</i>	10/7/2005	Submitted 10/7/2005: Conditional approval of proposed changes to the QAPP addendum received from EPA on 9/30/2005. EPA needs to provide final approval of this QAPP. Approval to conduct sampling was provided by EPA on 9/30/2005.	

Deliverable¹	Submittal Deadline²	Status/ Comments	EPA Comments Target Date
<i>Revised Transition-Zone Water FSP Addendum 1 Sampling Plans for ExxonMobil, Siltronic, Gasco, and Arkema</i>	3/27/2006	Submitted 3/27/2006. EPA needs to provide final approval of this FSP. Approval to conduct sampling was provided by EPA on 9/30/2005. This revised FSP was prepared and submitted after the associated field work was completed.	
<i>Revised Transition-Zone Water FSP Addendum 2</i>	3/27/2006	Submitted 3/27/2006. EPA needs to provide final approval of this FSP. Approval to conduct sampling was provided by EPA on 10/13/2005. This revised FSP was prepared and submitted after the associated field work was completed.	
Natural Attenuation			
<i>Step 2 Natural Attenuation Evaluation Report</i>	No longer needed		
Tech Memos			
Revised TRV Selection TM	10/23/2004	Submitted; EPA comments received 3/18/2005. On 6/10/2005, EPA directed the LWG to submit the final TRV Selection TM with the PRE. The final TRV Selection TM was submitted as an appendix to the 9/9/2005 PRE.	
Second Revision Preliminary Risk Evaluation Approach TM	1/7/2005	Submitted; EPA comments received 3/4/2005. On 6/10/2005, EPA directed the LWG to submit the final PRE approach TM with the PRE. The final PRE Approach was submitted as an appendix to the 9/9/2005 PRE.	
Comprehensive ERA Approach TM	6/27/2004	Submitted; EPA comments received 10/1/2004	

Deliverable¹	Submittal Deadline²	Status/ Comments	EPA Comments Target Date
Revised Comprehensive ERA Approach TM	TBD	In a 1/11/2006 meeting with EPA, the LWG proposed deleting this deliverable. The LWG has not heard back from EPA on this proposal. Need EPA agreement that this deliverable is no longer needed.	
Process for Derivation of PRGs TM	1/20/2005	Submitted; EPA comments received 6/30/2006; a revised tech memo is not required.	3/21/2005
<i>Draft Approach to Determining Background for the Portland Harbor Superfund Site</i>	3/3/2006	Submitted 3/3/2006; EPA comments received 6/5/2006; revised tech memo required.	5/2/2006
<i>Revised Approach to Determining Background for the Portland Harbor Superfund Site</i>	7/20/2006	The revised approach to determining background for the Portland Harbor Superfund Site will be provided in the Draft RI Report	
<i>Process for Delineating the Extent of Contamination Upstream and Downstream of the ISA</i>		The approach for Delineating the Extent of Contamination Upstream and Downstream of the ISA will be provided in the Draft RI Report	
<i>COPC Selection Interim Deliverable</i>	~1/23/2006	In a 1/11/2006 meeting with EPA, the LWG proposed deleting this deliverable. The LWG has not heard back from EPA on this proposal. Need EPA agreement that this deliverable is no longer needed.	
ECOLOGICAL RISK ASSESSMENT			
Ecological Preliminary Risk Evaluation (PRE)	9/9/2005	Submitted 9/9/2005; EPA comments received 4/28/2006, a revised PRE is not required	11/8/2005

Deliverable¹	Submittal Deadline²	Status/ Comments	EPA Comments Target Date
<i>Round 2 Benthic Assessment Interpretation Report</i>	3/17/2006	Submitted 3/17/2006; EPA comments received 7/6/2006	5/16/2006
<i>Food Web Modeling Report: Evaluating Trophic Trace and the Arnot and Gobas Models for Application to the Portland Harbor Superfund Site</i>	11/4/2005	Submitted 11/4/2005; EPA comments received 3/10/2006	1/3/2006
<i>Revised Ecological Water Screening Levels</i>	5/26/2006	Submitted 5/25/2006; directive EPA comments received 9/15/2006, and a correction to the xylene AWQC on 9/27/06. Additional revisions were submitted on 10/13/2006.	7/9/2006
Feasibility Study			
Literature Survey of Treatability Studies	October 2007	Submitted 10/31/2007. EPA comments received 2/15/08. A revised deliverable is not required, EPA comments indicated that they should be addressed in the FS.	Jan-08
<i>Round 3B (FS) Side-scan Sonar Data Report</i>	September 2008	Submitted 5/18/2009	
<i>Treatment Technologies Screening Table</i>	Early May 2009	Submitted 6/5/2009; EPA comments received 7/9/2009	7/6/2009
<i>Screening of Disposal Facilities for the Feasibility Study Memorandum</i>	Mid May 2009	Submitted 6/18/2009; EPA comments received 7/10/2009	7/2/2009
<i>Early Preliminary Remediation Goals (PRGs)</i>	Late March 2009	Submitted 3/27/2009	
General Field/Data/RI Reporting			
<i>Validated Analytical Results</i>	90 days following completion of each sampling activity		

Deliverable¹	Submittal Deadline²	Status/ Comments	EPA Comments Target Date
Comprehensive Round 2 Site Characterization Summary and Data Gaps Analysis Report	2/21/2007	Submitted 2/21/2007. EPA comments on Sections 1-9 and Appendices A, B, C, D, F, and G received 1/15/08; comments on Section 10 received 3/20/08; comments on Section 11 received 5/16/08; comments on Appendix E received 8/8/08. This document was never intended to be revised or approved by EPA; comments will be addressed in the Draft RI Report.	
<i>Draft Sediment Mobility Testing Data Report</i>	August 2009	Submitted 8/11/2009	EPA comments not anticipated
Draft Baseline Ecological Risk Assessment Report	Early September 2009	Submitted 9/2/2009 <u>Preliminary EPA comments received 12/23/09.</u>	11/2/2009
Draft Baseline Human Health Risk Assessment Report	Late September 2009	Submitted 9/23/2009 <u>Preliminary EPA comments received 12/23/09.</u>	11/23/2009
Draft Remedial Investigation Report	Late October 2009	Submitted 10/27/2009	12/27/2009
<i>Benthic Toxicity Reanalysis Technical Memorandum</i>	Mid November 2009	Submitted 11/13/2009	01/13/2009
<i>Supporting Electronic Information for Draft Benthic BERA</i>	November 2009	Submitted 11/19/2009	01/19/2010
STORMWATER			
<i>Stormwater Loading Check-in Materials</i>	2/1/2009	Submitted 2/18/2009; EPA comments received 5/6/2009	
<i>Revised Stormwater Loading Calculation Methods</i>	April 2010	Submitted 04/30/2010	6/30/2010
SEDIMENT			

Deliverable¹	Submittal Deadline²	Status/ Comments	EPA Comments Target Date
<i>Round 3B Field Sampling Plan: Sediment Sampling and Benthic Toxicity Testing</i>		Submitted 5/4/2007; EPA comments received 7/25/07. Superseded by the 11/5/2007 R3B Comprehensive Sediment & Bioassay Testing FSP.	
<i>Upriver and Multnomah Channel Sediment Evaluation and Field Sampling Plan Technical Approach</i>		Submitted 5/25/2007; EPA comments received 10/11/07. Superseded by the 11/5/2007 R3B Comprehensive Sediment & Bioassay Testing FSP.	
<i>Draft Round 3B Surface and Core Sediment FSP Preliminary Technical Memorandum</i>		Submitted 5/25/2007; EPA comments received 8/9/07. Superseded by the 11/5/2007 R3B Comprehensive Sediment & Bioassay Testing FSP.	
<i>Draft Round 3B Erosion Core Sediment FSP Technical Memorandum</i>	August 2007	Submitted 8/29/07; EPA comments received 10/11/07. Superseded by the 11/5/2007 R3B Comprehensive Sediment & Bioassay Testing FSP.	
<i>Round 3B QAPP Addendum 10 for Sediment Sampling</i>	November 2007	Submitted 12/17/2007. Need EPA approval of this QAPP Addendum.	
FATE & TRANSPORT			
<i>Draft Chemical Fate & Transport Model Development and Data Gaps Identification Report</i>	July 2007	Submitted 7/20/2007; EPA comments received 10/15/07. LWG response to comments submitted 1/8/2008.	
<i>F&T Surface Sediment FSP – Addendum to 3B Sediment FSP</i>	December 2007	Submitted 12/10/2007; EPA comments received 1/2/08. 1/16/08 LWG agreed with EPA not to perform the sampling. Need EPA agreement that this deliverable is no longer needed.	
<i>Draft Bioaccumulation Modeling Report</i>		Submitted 7/27/2009	

Deliverable ¹	Submittal Deadline ²	Status/ Comments	EPA Comments Target Date
CULTURAL RESOURCES			
Draft Cultural Resource Survey Report	12/16/2005	Submitted 12/16/2005	2/14/2006; EPA comments not time-critical at this point in the project

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Only deliverables due within the next four months are shown.

Deliverable completed and approved by EPA.

Deliverable submitted to EPA and its partners.

Underlining indicates text change from last progress report.